

MAILED

FEB 10 2005

U.S. PATENT AND TRADEMARK OFFICE
BOARD OF PATENT APPEALS
AND INTERFERENCES

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte BRUCE G. LINDSAY, CATHERINE S. McARTHUR
and MICHAEL J. WINER

Application 09/757, 431

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was received at the Board of Patent Appeals and Interferences on November 22, 2004. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the examiner. The matters requiring attention prior to docketing are identified below.

The record indicates a Final Rejection was filed on August 6, 2003 (Paper No. 8). In reviewing the file, the Final Rejection is not in the instant file.

Application 09/757,431

ORDERED that the application is returned to the Examiner to have the Final Rejection filed on August 6, 2003, put in the instant file and for such further action as may be appropriate.

BOARD OF PATENT APPEALS
AND INTERFERENCES

By: 

CRAIG FEINBERG
Program and Resource Administrator
(571) 272-4616

cc: SAWYER LAW GROUP LLP
P.O. BOX 51418
PALO ALTO, CA 94303

gjh
RA05-0165